

SENATE BILL 1073

By Haynes

AN ACT to amend Tennessee Code Annotated, Title 68,  
Chapter 15, Part 2, relative to bedding materials.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-15-201, is amended by inserting the following language as new, appropriately designated subdivisions:

( ) "Clean recycled material" means material comprised in whole or in part of recycled material derived from postconsumer waste or industrial waste that has undergone a manufacturing or other process approved by the department of health that renders the resulting material at least as clean as comparable material made in whole from virgin inputs;

( ) "Secondhand mattress" means an article of bedding that contains any secondhand material;

SECTION 2. Tennessee Code Annotated, Section 68-15-201(3), is amended by adding the following language as a new, appropriately designated subdivision:

( ) Clean recycled material.

SECTION 3. Tennessee Code Annotated, Section 68-15-201(6), is amended by deleting the subdivision in its entirety and by substituting instead the following language:

( ) "Secondhand material" means any material or part thereof used in an article of bedding of which prior use of any kind has been made, other than clean recycled material;

SECTION 4. Tennessee Code Annotated, Section 68-15-203, is amended by deleting subsection (b) and substituting instead the following:

(b) Secondhand mattresses sold in this state shall meet the requirements of subsection (a) and the tag attached to such secondhand mattresses shall include the following statements:

(1) "SECONDHAND MATTRESS"; and

(2) A statement that includes the following information as it relates to § 68-15-209:

(A) The specific methods of sanitizing, germicidal treatment, or cleaning applied;

(B) The date on which the article was sanitized, treated, or cleaned;

(C) The name, address, and phone number of the person applying the sanitizing, treatment, or cleaning; and

(D) Specifically which materials or articles have been sanitized, treated, or cleaned.

SECTION 5. Tennessee Code Annotated, Title 68, Chapter 15, Part 2, is amended by adding the following language as new sections:

68-15-209

(a) Mattresses may not be manufactured or sold in whole or in part from any secondhand material unless such material has been sanitized, germicidally treated, or cleaned by a method approved by the department of health.

(b) The department of health shall establish by rule approved methods for sanitizing secondhand mattresses, including:

(1) A process for heat treating;

(2) A process for washing utilizing boiling water; and

(3) Any other treatments determined by the department to be effective in ridding the secondhand material of contaminants, insects and other living organisms, and other offensive materials.

68-15-210. The requirements of §§ 68-15-203 and 68-15-209 shall apply to any secondhand mattress sold, transferred or otherwise provided by any commercial establishment to another party, except that such sections shall not apply to secondhand mattresses being transferred for disposal or for dismantling and recycling of the component materials into something other than secondhand materials.

SECTION 6. This act shall take effect July 1, 2011, the public welfare requiring it.